

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHRISTOPHER BURR, et al.,

Plaintiff(s),

v.

CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES, et al.,

Defendant(s).

Case No. 2:20-CV-1101 JCM (EJY)

ORDER

Pursuant to Federal Rule of Civil Procedure 59(e), the court issues the following amended order.

Presently before the court is plaintiffs Christopher Burr and Susan Hoy (collectively, “plaintiffs”)’s motion to remand this case to state court. (ECF No. 106). Defendants Heather Mummey (“Mummey”), Jonel Kaye Querrer, and County of Clark (“County”) (collectively, “defendants”) did not file a response to plaintiffs’ motion.

On September 12, 2023, this court granted in part and denied in part Mummey and County’s motion for summary judgment. (ECF No. 103). The court granted summary judgment as to plaintiffs’ §1983 claims against Mummey and County and denied summary judgment as to plaintiffs’ negligence claim against County. (*Id.* at 11-12). Accordingly, no federal claims remain in this action.

1 Local Rule 7-2 elucidates that “[t]he failure of an opposing party to file points and
2 authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for
3 attorney’s fees, constitutes a consent to the granting of the motion.” LR 7-2(d).

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5 Plaintiffs filed their motion to remand on September 26, 2023. (ECF No. 106).
6 Defendants had until October 10, 2023, to respond to the motion, but they failed to do so.

7 Accordingly,

8 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiffs Christopher
9 Burr and Susan Hoy’ s motion to remand this case to state court (ECF No. 106) be, and the same
10 hereby is, GRANTED.

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12 IT IS FURTHER ORDERED that this order shall supersede the court’s prior order in
13 which it instructed the clerk to enter judgment. (ECF Nos. 119; 120).¹

14 An order on defendants’ motion for attorney’s fees (ECF No. 105) is forthcoming.

15 DATED March 1, 2024.

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18 UNITED STATES DISTRICT JUDGE

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¹ The court already granted summary judgment on behalf of Defendants Mummey and County as to plaintiffs’ federal claims. (ECF No. 103).